
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK, BROOKLYN

Mr. Raul Baez

Plaintiff(s),

vs.

Case No.

H. Tellez, Warden MDC BKLN

Defendant(s).

Memorandum of Law

☒ In Support of or ☐ In Opposition to.

(Check "In Support of" if you are filing the motion and "In Opposition to" if you are opposing the Motion that was filed.)

28 U.S.C § 2241 Writ of Habeas Corpus

(Name of Motion filed)

Provide below an explanation of why the Motion should be granted or denied. Your explanation should be provided in consecutively numbered paragraphs. If you run out of space, you may attach additional sheets of paper and continue to number your paragraphs.

1.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK
BROOKLYN

Mr. RAUL BAEZ, PRO_SE,
Petitioner

vs.

No. _____

H. TELLEZ, Warden MDC BKLYN
Defendant

MOTION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C.
§ 2241, IN LIGHT OF ABROGATED EARNED TIME CREDITS UNDER
FIRST STEP ACT 2018

BACKGROUND I.

For Good Cause, comes now Raul Baez (herein Baeaz) with a formal request for the Great Writ of Habeas Corpus in the wake of his abrogated and NIHIL "Earned Time Credits" that he is owed by the Bureau of Prisons—specifically MDC Brooklyn. In fact, the amount of Earned Time Credits or (ETC) is so massive, that inter-alia- he should be released immediately thereby. Raul Baez has programmed and worked more than any other inmate at MDC Brooklyn, and by [n]ot applying the ETC he is owed under law, undermines Ratio Legis and discredits act of Congressional Intent and disrupts the penal systems objectives towards keeping recidivism rates de-minimus accordingly. Therefore, the Habeas Legislature promulgates granting the request under the First Step Act, in light of Procedural Due Process for his [Liberty Interest hindrance thus far.

FEDERAL INTERROGATORIES II.

(1.) Did the First Step Act create a Liberty Interest with respect to "Earned Time Credits" for programs and work hours accumulated by the Legislature and bound by the Bureau?

(2.) Would the Due Proces Clause be violated for inapplication of the First Step Act of 2018?

FACTUAL BACKGROUND III.

Baez, is owed approximately 150 days or more ETC- by calculating the time with a liberal lens. Since December of 2018, Baez has never stopped working and programming. In fact, he has never stopped working diligently and programming daily while training for society under PATTERN's evidence based style recidivism reduction training. Accordingly, the list of time and accomplishments is entirely too long to list here but therefore exhibited at # 1. Because of good time and release out date is shortly on the horizon, this Court should intervene narrowly and (1.) ORDER: the BOP to correct the hindrance, (2.) Grant the writ of Habeas Corpus-create stare decisis and apply the ETC he is owed, [o]r, in the alternative, and more probable-since Petitioner has programmed past the time he has left under the First Step Act- and release him immediately.

LEGAL ARGUMENT IV.

The First Step Act of 2018, 18 U.S.C. § 3632(d)(4)(A) has adduced a host of programs and Evidence Based recidivism based reduction training, that rewards inmates ETC under a clear "Liberty Interest" thereby. Baez, contends that the BOP-inter alia- does [n]ot apply the First Step Act or Due Process for that matter. (see) Goodman vs. Ortiz 2020 U.S. Dist LEXIS 153874 Civ. No. 20-7582(3rd Cir 2020); 18 U.S.C. § 3632(a). [A]nd, the BOP is required to apply the FSA and Earned Time Credits within the timeframe adduced by the Legislature, (see) 18 U.S.C A. § 3632(a). Accordingly, the Bureau is creating "undue burdensome" situations for prisoners who are expecting rewards for all their efforts, undermining Ratio Legis and ignoring Legislative intent.

Absent Court intervention of the said matter, only increases

additional corruption and delay by a branch of Government who is acting irrationally and arbitrary thereto. (see) Musgrove v. Ortiz, No. CV 19-5222(HHL, 2019 WL 2240563, at *2(D.N.J. May 24th 2019. The First Step Act's PATTERN program, Pub L. NO. 115-015, 132 STAT 015 2018, offers case managers to assist inmates with the needs and assessment tools to help reintegrate into society. But the administration, to include the Warden is not inclined to (1.) follow protocols of the Bureau of Prisons manual (2.) cannot adhere to the First Step Act's letter of the law and spirit. (3.) deny inmates substantive rights and (4.) undermine Ratio Legis and Procedural Due Process.

When embarking on the statute's "ordinary" meaning and on "its face" determination under strict scrutiny, the vested and fundamental meaning of the acts wording reading no more clarification than what is written on its face. (see) Wisconsin Cent. LTD vs. United States, 138 S. Ct 2067, 2074(2018). There is nothing ambiguous with respect to the First Step Act's wording. (see) FDA vs. Brown & Williamson Tobacco Corp, 529 U.S. 120 133 (2000). Accordingly, 18 U.S.C § 3624 (h)(2) adduces a phase in time frame that the BOP is clearly in violation of. Understandably there has been a Pandemic and undue delay, but the stall tactic is ubiquitous with respect to the overall posture and conduct of the Bureau, namely CADRE Staff.

As a substantive aspect of Petitioner's Liberty, certain elements of fairness need to be applied accordingly. (see) 62 Cornell L. Rev. 487; Rabin, 44 CHI. . Rev. 60. Because of the

deprivation of Baez's Liberty thus far, his fundamental right in connection with the prohibition against arbitrary Government adjudication of administrative law or their conduct in general, is nugatory absent the [GRANTING of the Writ thereunder. (see) Goldberg vs. Kelly, 397 U.S. 254(1970) Mathews vs. Eldridge, 425 U.S. 319(1976). The only question is to whether the Judiciary has proper jurisdiction to order a evidentiary hearing on the matter. It does. (see) 28 U.S.C. § 2243] and Raul Baez is being held by Merrick Garland-the Attorney General- at MDC Brooklyn, located in the Eastern District of New York's burrow Brooklyn. Hence, Baez has subject and personal jurisdiction on the matter because his corpus is held by Warden Tellez under law. (see) 28 U.S.C. § 2241 Hamdi vs. Rumsfeld 542 U.S. 507 2004, [a]nd, freedom from arbitrary "substantive procedures" is a [vested element of one's Liberty interest. Additionally, the unduly burden now created by the BOP has ZERO government objective that is legitimate, rationally related, or [acceptable with respect for Due Process of law. (see) Planned Parenthood vs. Casey 428 U.S. 52(1976). Extraordinary remedy of Habeas law therefore requires-inter-alia- that a Court- as the such- act forthwith, and award the order directing the respondent (Warden Tellez at MDC BKLYN), to show cause why Baez should [n]ot be subjected to immediate release or why the writ should [not be granted, if it appears that the Petitioner is not entitled to be released forthwith and or evidentiary hearing thereto. (Ruby vs. United States, 341 F. 2d 585 9 Fed. r. serv. 2d (Callaghan) 81 A.22 Case 3, (1965). But absent the BOP correcting the Constitutional

under FSA 2018 since he has been working fulltime(see) Exhibit#
4) and programmed more than any other-equating to a timeframe
lapse passed his release date thereby. Accoringly, he deserves
immediate release for his unprecedented work and training/classes
or programs under the First Step Act. He should, at the very
least, make stare decisis and a holding to bind the 2nd Circuit
and the District courts herethrough the Districts. Norton vs.
S. Utah Alliance, 542 U.S. 55 64 124 S. Ct 2373, 159 L. Ed.2d.
137 (2004)(emphasis added). Notably, to deny relief where a
sentence exceeds the statutory objective, Legislative Intent,
substantive rights of inmates and Due Process, would create a
series of Constitutional questions and potentially hindering
the Seperation Of Powers Doctrine.(see) United States vs. Pepper
562, U.S. 131, S. Ct. 1229, 179 L. Ed 2d, 196, 2011, LEXIS 1902.
STANDING V.

As a threshold issue, Baez invokes his standing principles
under ARTICLE III. U.S. CONST. Because this historical ideal
cannot be nugatory, federal courts are required to ajudge the
instant matter, utilizing three distinct components adduced
from the High Court. (1.)injury-in-fact(2.) a causul connection
between the conduct complained of and the injury(3.) likelihood
that the issue would be redressed by a favorable decision.(see)
Lujan vs. Defenders of Wildlife, 504 U.S. 555, 560 112 S. Ct 2130
119 L.Ed 2d,351(1992). With respect to the first element-injury,
Baez, has a clear Liberty Interest under the First Step Act's
Earned Time Credits(18 U.S.C.§ 3632(a)) and Procedural Due
Process under Mathews vs. Eldgrige, 502 U.S. 54 (1976).Neverthe-
less, the instant . imminence of his Constitutional and

statutory individual injury, is certain, [actual and irreparable harm will continue absent Court intervention. [Nothing hypothetical here about the time owed and accomplishments of Baez. Moreover, Due Process, inter alia- requires an evidentiary hearing on the matter thereby. With respect to the [second element for standing, is fairly traceable to the ineptitude at MDC Brooklyn and the Bureau of Prisons additionally.(see) CLASS ACTION, CADRE INMATES MDC BROOKLYN;Crespo vs. Hurwitz 2020 U.S. Dist LEXIS 223383 (E.D. N.Y.) 2020(2nd Cir. 2020); InspectorGeneral Report MDC BKLYN, 2020. [see also] (a.) correspondence of Baez between MDC Unit Team and Staff (b.) exhaustion of administrative remedies, (c.) First Step Act, Federal REG. Report, adducing PATTERN, Programs and the programs Baez completed. Accordingly, this component is satisfied under the burdensome statute.[A]nd, finally, a favorable decision here under Habeas Law would be appropriate because of the longstanding statutory wording of Habeas Corpus 28 U.S.C. § 2241. Habeas law, throws its [deep roots into the genius of our common law(see) Rasul vs. Bush, 542 U.S. 466, 473, 124 S. Ct 2686(2004). Under the Magna Carta, English law(as it does in American Law) requires the Government to justify or examine the the causes, or [extent of a prisoner's detention if complained of. (Preiser vs. Rodriguez, 411 U.S. 485, 93 S. Ct. 1827(1973)). [And the freedom framers wanted unlawfull restraint(as in Baez instant matter) to be corrected when the vital instrument of freedom is abrogated under violations of law by a diffrent branch of Government.(see) Boumediene vs. Bush, 553 U.S. 723, 739 128 S. Ct 229 (2008). In preventing serial [delay from the BOP, Habeas law serves as a check on the Governments

arbitrary conduct or [injurious conduct thereby. (see) Banister vs. Davis 140 S. Ct 1689, 1707, 207, L. Ed 2d 58 (2020). Therefore, the appropriate vehicle to redress the Constitutional violation of a Liberty interest in connection with the execution and duration of Baez's sentence would be 28 U.S.C. § 2241 with the invocation of standing principles accordingly.

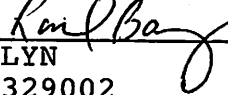
EXHAUSTION OF REMEDY's VI.

[Because the grievance procedure at MDC Brooklyn is a joke at best, uncertain, incorporates a indefinite delay, unduly burdensome and futile- with the BOP already pre-determining the issue at hand with arbitrary bias and prejudice force, Baez needs no further action in light of the BOP failure to provide the needs and requirements under law. [But, Baez has gone through more hoops than most would-with respect to the sideshow and pathetic procedures at MDC Brooklyn. Therefore, he has fully exhausted, (see) McCarthy vs. Madiga, 503 U.S. 140(1992); Ross vs. Blake 578, U.S. (2016); Washington vs. Barr 131, S. Ct.(2020).

CONCLUSION VII.

In light of the brief promulgated herein, Baez request [that (1.) he recieve time served or vacate the instant case, [or] in the alternative (2.) order the BOP to release Baez immediately [or] (3.) Grant the Writ in any fashion the Court deems fit and respectfully.

May He Always Remain, Very Truly Yours,

Raul Baez  Date 8.16.21
MDC BROOKLYN
P.O. BOX 329002
Brooklyn N.Y. 11232

SAYETH GRANTED YOUR HONOR

Brief Written By,

Sean Fitzgerald Mescall Pro-Hac-Vice under Wolff vs. McDonnell, 9

(7)

AFFIDAVIT PURSUANT TO 28 U.S.C § 1746
of Raul Baez # 71515-050

I Raul Baez, am of sound mind and body. [Everything adduced herein is true, accurate and not a material misrepresentation accoringly.. I have not been under the control of some other force, and attest to the writings adduced throughout the pleading as true to the [best of my knowledge, so Help Me GOD.

Accordingly, I have done everything possible to get the BOP and Unite team to fix my earned time credits under the First Step Act. However, all they do is stall, delay and toss my grievences in the trash. I have exhausted under law and pray the Honorable Judiciary will step in and allow me to reap the benefits of my hard work thus far. [Please consider this a sworn testamoney of everything I proclaimed in the brief who was written by a fellow inmate who witnessed the exaxct problems himself and with others. Habeas law is the only extrme remedy that will work.

May I always Remain,
Very Truly Yours,

Raul Baez Raul Baez Date 8.16.21 28 U.S.C § 1746

EXHibit # 1

TRULINCS 71515050 : BAEZ, RAUL - Unit: BRO-D-A

FROM: 71515050

TO:

SUBJECT: Table of Contents

DATE: 08/15/2021 06:49:12 PM

(A)(1) - BP-8

(A) - Explanation for BP-8

(B) - Completed FSA Classes

(C) - Completed Productive Activities

(D) - BP-9

(E) - Response from BP-9

(F) - Hours for Work

(G) - Pattern Score

(H) - Federal Registry

(I) - Evidence Based Recidivism Reduction Programming and Productive Activities

(J) - BP-10

(K) - Another BP-10 with proof they passed there extention time.

(A)(1)

INMATE REQUEST FOR INFORMAL RESOLUTIONNAME: Raul Baez REG. 71515-050UNIT: K-Cadre-M

SPECIFIC ISSUE NEEDING

RESOLUTION: Requesting First Step Act Time Credits for completed Evidence Based Recidivism Reduction Programming.

EXPLAIN, IN DETAIL THE ISSUE:

Please see attachment (A) explanation in detail. Also attachment (B) and (C) as evidence of FSA programming and productive activities. 4 pages in total.Thank youINMATE SIGNATURE: Raul Baez DATE: 4-29-2021

TO BE COMPLETED BY COUNSELOR

DATE RECEIVED: 4-29-21ACTION TAKEN: At the present time Unit Team has not been presented with a formula from the Regional Office to calculate the Time Earn Credit. Once we receive this information, we will address the inmate population.COUNSELOR SIGNATURE: [Signature] DATE: 5/3/21

TO BE COMPLETED BY UNIT MANAGER

INFORMAL RESOLUTION RECEIVED Y/SUNIT MANAGER SIGNATURE [Signature] DATE: 5.3.21

EXTENSION GRANTED _____ DATE DUE _____

REASON FOR EXTENSION _____

UNIT MANAGER APPROVAL _____ DATE _____

TRULINCS 71515050 - BAEZ, RAUL - Unit: BRO-D-A

FROM: 71515050

TO:

SUBJECT: BP-8 Requesting First Step Act Time Credits

DATE: 04/29/2021 11:02:36 AM

I am writing this request for my first step act time credits. According to the first step act of 2018 the proposed rule 18 usc 3632 (d)(4)(c) I am suppose to receive my time credits towards prerelease custody or supervised release upon completion of evidence base recidivism reduction programming and productive activities. Also according to 18 usc 3621 (h)(3) I am suppose to receive it based on a prisoners proximity to release date. I have already been recommended for a halfway house date for December 10, 2021 with out applying my FSA time credits. Also according to 18 usc 3632 (d)(4) and 18 usc 3632 (d)(4)(a)(ii) I shall earn 15 days of time credits for every 30 days of successful participation in evidence based recidivism reduction programming. As you may well see under proposed rule 18 usc 3635 (3) or section 523.41 definitions of a evidence based recidivism reduction programming, 3635 (3)(xi) a prison job or inmate work. I have been assigned a job in this institution since December 18, 2019 in the general mechanics department. Now I have been assigned to another job which is also under the (facilities department) Dayton manor detail. Also I have also participated and completed many FSA programming and productive activities as seen in attachment (B) and (C). I would appreciate it if we can find a resolution for this issue. Thank you for your time.

Raul Baez 71515-050

(B)

BROGY 531.01 *
PAGE 001 OF 001 *

INMATE HISTORY
PT OTHER

* 06-16-2021
* 11:06:14

REG NO.: 71515-050 NAME: BAEZ, RAUL
CATEGORY: PTO FUNCTION: PRT FORMAT:

FCL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
BRO	VICT IMP P VICTIM IMPACT PART	06-02-2021 0730	CURRENT
BRO	MON SM G C MONEY SMART GENERAL POP COMP	06-16-2021 1101	06-16-2021 1101
BRO	MON SM G P MONEY SMART GENERAL POP PART	03-03-2021 0919	06-16-2021 1101
BRO	VICT IMP W VICTIM IMPACT WAIT	05-26-2021 1336	06-02-2021 0730
BRO	CR TH COMP CRIMINAL THINKING COMP	05-21-2021 1412	05-21-2021 1412
BRO	CR TH COMP CRIMINAL THINKING COMP	05-21-2021 1405	05-21-2021 1405
BRO	CR TH COMP CRIMINAL THINKING COMP	05-20-2021 0756	05-20-2021 0756
BRO	CR TH PART CRIMINAL THINKING PART	03-25-2021 0939	05-20-2021 0756
BRO	MAN DIAB C MANAGING YOUR DIABETES COMP	05-15-2021 0912	05-15-2021 0912
BRO	MAN DIAB P MANAGING YOUR DIABETES PART	02-24-2021 1715	05-15-2021 0912
BRO	ARTH FND C ARTHRITIS FOUNDATION WALK COMP	04-07-2021 1305	04-07-2021 1305
BRO	ARTH FND P ARTHRITIS FOUNDATION WALK PART	02-24-2021 1300	04-07-2021 1305
BRO	ANG M COMP ANGER MANAGEMENT CBT COMP	03-25-2021 0949	03-25-2021 0949
BRO	MON SM G W MONEY SMART GENERAL POP WAIT	02-25-2021 1246	03-03-2021 0919
BRO	MAN DIAB W MANAGING YOUR DIABETES WAIT	02-20-2021 1301	02-24-2021 1715
BRO	MON SM O C MONEY SMART OLDER POP COMP	12-29-2020 0755	12-29-2020 0755
BRO	MON SM O P MONEY SMART OLDER POP PART	11-20-2020 0847	12-29-2020 0755
BRO	AARP FND C AARP FOUNDATION FINANCE COMP	12-14-2020 1115	12-16-2020 1115
BRO	AARP FND P AARP FOUNDATION FINANCE PART	11-20-2020 1030	12-14-2020 1115
BRO	HTH WELL C HEALTH & WELLNESS LIFESPN COMP	11-30-2020 1355	12-01-2020 1536
BRO	HTH WELL P HEALTH & WELLNESS LIFESPN PART	11-27-2020 1345	11-30-2020 1355
BRO	HTH WELL W HEALTH & WELLNESS LIFESPN WAIT	11-25-2020 1250	11-27-2020 1345
BRO	AARP FND W AARP FOUNDATION FINANCE WAIT	11-19-2020 1009	11-20-2020 1030
BRO	MON SM O W MONEY SMART OLDER POP WAIT	11-19-2020 1123	11-20-2020 0847
BRO	BRN HLTH C BRAIN HEALTH AS YOU AGE COMP	11-11-2020 1151	11-12-2020 1151
BRO	BRN HLTH P BRAIN HEALTH AS YOU AGE PART	11-09-2020 1536	11-11-2020 1151
BRO	ANG M COMP ANGER MANAGEMENT CBT COMP	11-10-2020 1307	11-10-2020 1307
BRO	ANG M PART ANGER MANAGEMENT CBT PART	10-22-2020 1154	11-10-2020 1307
BRO	BRN HLTH W BRAIN HEALTH AS YOU AGE WAIT	11-02-2020 1455	11-09-2020 1536

G0000 TRANSACTION SUCCESSFULLY COMPLETED

(B)

BROGY 531.01 * INMATE HISTORY * 06-16-2021
PAGE 001 OF 001 * WASPB * 11:10:35

REG NO.: 71515-050 NAME....: BAEZ, RAUL
CATEGORY: WSP FUNCTION: PRT FORMAT:

FCL	ASSIGNMENT	DESCRIPTION	START DATE/TIME	STOP	DATE/TIME
BRO	PAR IODP	INSIDE OUT DAD PARTICIPATING	06-07-2021 1421	CURRENT	
BRO	PAR NATLC	NATIONAL PARENTING PGM CMPLT	06-07-2021 1420	06-07-2021 1420	
BRO	PAR NATLP	NATIONAL PARENTING PGM PART	04-27-2021 1202	06-07-2021 1420	

G0000 TRANSACTION SUCCESSFULLY COMPLETED

BROGY 531.01 * INMATE HISTORY * 06-16-2021
PAGE 001 OF 001 * PSYCH TRMT * 11:12:55

REG NO.: 71515-050 NAME....: BAEZ, RAUL
CATEGORY: PTP FUNCTION: PRT FORMAT:

FCL	ASSIGNMENT	DESCRIPTION	START DATE/TIME	STOP DATE/TIME
BRO	RSW COMP	RESOLVE WORKSHOP COMPLETED	05-19-2021 1352	CURRENT
BRO	RSW PART	RESOLVE WORKSHOP PARTICIPANT	03-30-2021 1458	05-19-2021 1352

G0000 TRANSACTION SUCCESSFULLY COMPLETED

(B)

BROGY 531.01 *
PAGE 001 OF 001 *INMATE HISTORY
DRUG PGMS* 06-16-2021
* 11:13:23

REG NO.: 71515-050 NAME: BAEZ, RAUL

CATEGORY: DRG

FUNCTION: PRT

FORMAT:

FCL	ASSIGNMENT	DESCRIPTION	START DATE/TIME	STOP DATE/TIME
BRO	ED NONE	DRUG EDUCATION NONE	06-18-2019 1611	CURRENT
BRO	NR COMP	NRES DRUG TMT/COMPLETE	06-03-2021 1530	CURRENT
BRO	NR PART	NRES DRUG COUNSEL PARTICIPANT	03-11-2021 1017	06-03-2021 1530
BRO	NR WAIT	NRES DRUG TMT WAITING	11-24-2020 2021	03-11-2021 1017

G0000

TRANSACTION SUCCESSFULLY COMPLETED

(c)

BROQ8 * INMATE EDUCATION DATA * 04-29-2021
 PAGE 001 OF 001. * TRANSCRIPT * 13:04:16

REGISTER NO: 71515-050 NAME.: BAEZ
 FORMAT.....: TRANSCRIPT RSP OF: BRO-BROOKLYN MDC

FUNC: PRT

----- EDUCATION INFORMATION -----

FACL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
BRO ESL HAS	ENGLISH PROFICIENT	06-05-2019 0813	CURRENT
BRO GED HAS	COMPLETED GED OR HS DIPLOMA	06-05-2019 0813	CURRENT

----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
BRO CAD M	COLUMBIA U-ADVANCED PHILOSOPHY	03-15-2021	03-22-2021	P	W	V	2
BRO CAD M	WEIGHT MANAGEMENT	03-15-2021	03-19-2021	P	C	P	5
BRO CAD M	COLUMBIA UNIVERSITY OEDIPIS	10-19-2020	03-08-2021	P	C	P	24
BRO CAD M	PARENTING MODIFIED OPERATIONS	12-28-2020	01-05-2021	P	C	P	4
BRO CAD M	HEALTH JOURNAL	10-05-2020	11-09-2020	P	C	P	12
BRO CAD M	EFFECTIVE COMMUNICATION	08-03-2020	08-10-2020	P	C	P	4
BRO CAD M	ESJ EAT SMART	07-13-2020	07-17-2020	P	C	P	5
BRO CAD M	RESUME MODIFIED	07-01-2020	07-06-2020	P	C	P	8
BRO CAD M	COMMUNITY RESOURCES RPP#4	03-11-2020	03-11-2020	P	C	P	1
BRO CAD M	MONEY SMART OLDER ADULTS	01-31-2020	02-10-2020	P	C	P	8
BRO CAD M	ALTERNATIVE TO DRUG DEALING	01-29-2020	01-29-2020	P	C	P	2
BRO CAD M	PARENTING CADRE	01-28-2020	01-28-2020	P	C	P	2
BRO CAD M	ORIGAMI	12-01-2019	12-30-2019	P	C	P	5
MCK SCP	IND ENHANCING VOC LEVEL 1	10-28-2019	12-11-2019	P	C	P	10
BRO CAD M	PERSONAL GROWTH RPP#6	12-05-2019	12-05-2019	P	C	P	1
BRO CAD M	RELEASE REQUIREMENTS RRP#5	12-05-2019	12-05-2019	P	C	P	1
BRO CAD M	PERSONAL FINANCE RPP#3	12-05-2019	12-05-2019	P	C	P	1
BRO CAD M	EMPLOYMENT RPP#2	12-05-2019	12-05-2019	P	C	P	1
BRO CAD M	HEALTH AND NUTRITION RPP#1	12-05-2019	12-05-2019	P	C	P	1
MCK SCP	INVESTING AND FINANCIAL MANAGE	09-03-2019	11-05-2019	P	C	P	20
MCK SCP	BASIC CERAMICS - CAMP	07-31-2019	10-31-2019	P	C	P	2
MCK SCP	RPP(2) ULTIMATE JOB SEARCH	09-11-2019	10-25-2019	P	C	P	24
MCK SCP	RPP(4)-COMMUNITY CORRECTIONS	09-24-2019	09-24-2019	P	C	P	1
MCK SCP	RPP(1) WELLNESS	09-12-2019	09-26-2019	P	C	P	2
MCK SCP	RPP(5) RELEASE REQUIRMNTS/PROC	09-19-2019	09-19-2019	P	C	P	1
MCK SCP	RPP(6) POINT OF VIEW	07-26-2019	07-26-2019	P	C	P	2
MCK SCP	RPP(3) IRS-TAX CLASS-QTR.-1HR.	06-14-2019	06-14-2019	P	C	P	1
MCK SCP	RPP(3) AVOIDMONEYTRAP	06-14-2019	06-14-2019	P	C	P	1
MCK SCP	RPP(5) TRANSITION/REENTRY WKSHP	06-14-2019	06-14-2019	P	C	P	1

G0000 TRANSACTION SUCCESSFULLY COMPLETED

U.S. DEPARTMENT OF JUSTICE

REQUEST FOR ADMINISTRATIVE REMEDY

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Baez, Raul 71515-050 K-Cadre-M MDC Brooklyn

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

Part A- INMATE REQUEST

I am furthing my administrative remedies in writing this request for my first Step Act time credits for completion of evidence based recidivism reduction programming, and productive activities, and work. Reasons are their wasn't a resolution for my initial request as seen on attachment (A)(1) and attachment (A). Thank You for your time.

5-04-2021

DATE

Raul Baez
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

THIRD COPY: RETURN TO INMATE

CASE NUMBER: _____

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



(E)

Remedy Number 1079926-F1
Baez, Raul
Reg. No. 71515-050

This is in response to your Request for Administrative Remedy dated May 4, 2021. You request to receive Time Earn Credit for completion of the Evidence Based Recidivism Reduction (EBRR) Program under the First Step Act.

A review into this matter reveals, you submitted a request to staff dated April 29, 2021, requesting your Time Earn Credit be applied towards your pre-release from custody or supervised release, upon completion of the EBRR Program under the First Step Act. The Bureau of Prisons is making every stride to ensure the inmate population has the opportunity to participate in the EBRR Program and receive credit for the courses they have taken. Unfortunately, the Time Earn Credit has not been calculated at this time. The Bureau of Prisons is working diligently to rectify this situation. Once this information is disseminated to all institutions, the unit team will address the general population.

Based upon the above information, the relief you seek is denied.

If dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House, 2nd and Chestnut Street, Philadelphia, PA. 19106. Your appeal must be received in the Regional Office within 20 calendar days from the date of this response.


Heriberto H. Tellez, Warden

5-13-2021
Date

Date: 08/15/2021
Time: 06:00:06 PM

Location: BRO

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL			Available Balance: \$153.14	
Date	Reference #	Transaction Type	Sender Last name	Amount
02/22/2020	TL0222	TRUL Withdrawal		-\$5.00
02/18/2020	20	Sales		-\$73.20
02/15/2020	TFN0215	Phone Withdrawal		-\$20.00
02/14/2020	33320045	Western Union	CACERES	\$90.00
02/12/2020	TL0212	TRUL Withdrawal		-\$5.00
02/08/2020	TL0208	TRUL Withdrawal		-\$5.00
02/07/2020	33320038	Western Union	BAEZ	\$100.00
02/07/2020	VFRP0220	FRP Monthly Pymt		-\$25.00
02/07/2020	VIPP0120	Payroll - IPP		\$47.60
02/03/2020	18	Sales		-\$59.05
02/02/2020	TL0202	TRUL Withdrawal		-\$5.00

Inmate #: 71515050

Date: 08/15/2021

Location: BRO (F)

Time: 06:08:26 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL			Available Balance: \$153.14	
Date	Reference #	Transaction Type	Sender Last name	Amount
04/20/2020	11	Sales		-\$38.20
04/20/2020	TL0420	TRUL Withdrawal		-\$5.00
04/17/2020	33320108	Western Union	BAEZ	\$50.00
04/17/2020	33320108	Pre-Release Transaction		-\$12.50
04/15/2020	33320106	Western Union	SERRANO	\$100.00
04/15/2020	33320106	Pre-Release Transaction		-\$25.00
04/11/2020	33320102	Western Union	CACERES	\$90.00
04/11/2020	33320102	Pre-Release Transaction		-\$22.50
04/08/2020	VFRP0420	FRP Monthly Pymt		-\$25.00
04/08/2020	VIPP0320	Payroll - IPP		\$48.00
04/08/2020	VIPP0320	Pre-Release Transaction		-\$12.00
04/06/2020	35	Sales		\$4.20
04/06/2020	19	Sales		-\$74.40

Date: 08/15/2021

Time: 06:10:07 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
05/26/2020	TL0526	TRUL Withdrawal		-\$5.00
05/26/2020	TL0526	TRUL Withdrawal		-\$5.00
05/25/2020	33320146	Western Union	CACERES	\$80.00
05/25/2020	33320146	Pre-Release Transaction		-\$20.00
05/21/2020	TL0521	TRUL Withdrawal		-\$5.00
05/20/2020	36	Sales		-\$6.80
05/19/2020	TL0519	TRUL Withdrawal		-\$5.00
05/18/2020	TL0518	TRUL Withdrawal		-\$5.00
05/17/2020	14	Sales		-\$37.85
05/12/2020	TL0512	TRUL Withdrawal		-\$5.00
05/10/2020	33320131	Western Union	CACERES	\$90.00
05/10/2020	33320131	Pre-Release Transaction		-\$22.50
05/06/2020	VFRP0520	FRP Monthly Pymt		-\$25.00
05/06/2020	VIPP0420	Payroll - IPP		\$30.00
05/06/2020	VIPP0420	Pre-Release Transaction		-\$7.50
05/06/2020	TL0506	TRUL Withdrawal		-\$5.00
05/04/2020	TL0504	TRUL Withdrawal		-\$5.00
05/04/2020	TL0504	TRUL Withdrawal		-\$5.00
05/04/2020	9	Sales		-\$134.00

Date: 08/15/2021
Time: 06:11:20 PM

Location: BRO

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
06/24/2020	TL062020	Pre-Release Transaction		\$60.00
06/24/2020	TL0624	TRUL Withdrawal		-\$10.00
06/23/2020	TL0623	TRUL Withdrawal		-\$5.00
06/15/2020	TL0615	TRUL Withdrawal		-\$5.00
06/14/2020	14	Sales		-\$64.15
06/12/2020	33320164	Western Union	CACERES	\$70.00
06/12/2020	33320164	Pre-Release Transaction		-\$17.50
06/11/2020	TL0611	TRUL Withdrawal		-\$5.00
06/08/2020	TL0608	TRUL Withdrawal		-\$5.00
06/08/2020	VFRP0620	FRP Monthly Pymt		-\$25.00
06/08/2020	VIPP0520	Payroll - IPP		\$45.00
06/08/2020	VIPP0520	Pre-Release Transaction		-\$11.25
06/01/2020	TL0601	TRUL Withdrawal		-\$5.00
06/01/2020	11	Sales		-\$50.35

Date: 08/15/2021

Location: BRO

Time: 06:12:15 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
08/22/2020	TL0822	TRUL Withdrawal		-\$5.00
08/17/2020	4	Sales		-\$64.00
08/15/2020	TL082020	Pre-Release Transaction		\$34.95
08/10/2020	TL0810	TRUL Withdrawal		-\$5.00
08/10/2020	TL0810	TRUL Withdrawal		-\$10.00
08/08/2020	TL0808	TRUL Withdrawal		-\$5.00
08/08/2020	TL0808	TRUL Withdrawal		-\$5.00
08/07/2020	TL0807	TRUL Withdrawal		-\$5.00
08/07/2020	VFRP0820	FRP Monthly Pymt		-\$25.00
08/07/2020	VIPP0720	Payroll - IPP		\$76.80
08/07/2020	VIPP0720	Pre-Release Transaction		-\$19.20
08/04/2020	TL0804	TRUL Withdrawal		-\$5.00
08/03/2020	19	Sales		-\$62.90
08/03/2020	TL0803	TRUL Withdrawal		-\$5.00
08/03/2020	33320216	Western Union	CACERES	\$60.00
08/03/2020	33320216	Pre-Release Transaction		-\$15.00

Date: 08/15/2021

Location: BRO

Time: 06:13:08 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
09/24/2020	VICP0920	Inmate Co-pay		-\$2.00
09/24/2020	TL0924	TRUL Withdrawal		-\$5.00
09/22/2020	59	Sales		-\$26.20
09/20/2020	TL092020	Pre-Release Transaction		\$22.50
09/14/2020	5	Sales		-\$48.00
09/13/2020	TL0913	TRUL Withdrawal		-\$5.00
09/09/2020	33320253	Western Union	CACERES	\$60.00
09/09/2020	33320253	Pre-Release Transaction		-\$15.00
09/09/2020	TL0909	TRUL Withdrawal		-\$5.00
09/09/2020	VIPP0820	Payroll - IPP		\$30.00
09/09/2020	VIPP0820	Pre-Release Transaction		-\$7.50
09/03/2020	TL0903	TRUL Withdrawal		-\$2.00
09/03/2020	TFN0903	Phone Withdrawal		\$3.50
09/01/2020	11	Sales		-\$42.55

Date: 08/15/2021
Time: 06:13:59 PM

Location: BRO

(F)

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL			Available Balance: \$153.14	
Date	Reference #	Transaction Type	Sender Last name	Amount
11/29/2020	TL1129	TRUL Withdrawal		-\$5.00
11/27/2020	TL1127	TRUL Withdrawal		-\$5.00
11/23/2020	82	Sales		-\$77.65
11/20/2020	TL1120	TRUL Withdrawal		-\$5.00
11/20/2020	TL1120	TRUL Withdrawal		-\$5.00
11/18/2020	TL112020	Pre-Release Transaction		\$40.80
11/15/2020	TL1115	TRUL Withdrawal		-\$10.00
11/14/2020	33320319	Western Union	AGUDELO	\$20.00
11/14/2020	33320319	Pre-Release Transaction		-\$5.00
11/12/2020	TL1112	TRUL Withdrawal		-\$5.00
11/09/2020	TL1109	TRUL Withdrawal		-\$5.00
11/09/2020	47	Sales		-\$71.40
11/07/2020	33320312	Western Union	CACERES	\$90.00
11/07/2020	33320312	Pre-Release Transaction		-\$22.50
11/07/2020	TL1107	TRUL Withdrawal		-\$5.00
11/06/2020	WIPP1020	Payroll - IPP		\$53.20
11/06/2020	WIPP1020	Pre-Release Transaction		-\$13.30
11/05/2020	TL1105	TRUL Withdrawal		-\$5.00
11/03/2020	TL112020	Pre-Release Transaction		\$30.00

Inmate #: 71515050

Date: 08/15/2021
Time: 06:05:25 PM

Location: BRO

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL Available Balance: \$153.14

Date	Reference #	Transaction Type	Sender Last name	Amount
01/27/2021	WICP0121	Inmate Co-pay		-\$2.00
01/20/2021	TL0120	TRUL Withdrawal		-\$5.00
01/18/2021	33321018	Western Union	SERRANO	\$100.00
01/18/2021	33321018	Pre-Release Transaction		-\$25.00
01/17/2021	TL0117	TRUL Withdrawal		-\$5.00
01/11/2021	TL0111	TRUL Withdrawal		-\$5.00
01/11/2021	25	Sales		-\$74.80
01/06/2021	WIPP1220	Payroll - IPP		\$1.44
01/06/2021	WIPP1220	Pre-Release Transaction		-\$0.36
01/05/2021	TL0105	TRUL Withdrawal		-\$5.00

Inmate #: 71515050

Date: 08/15/2021

Location: BRO

Time: 06:14:45 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
03/26/2021	TL0326	TRUL Withdrawal		-\$5.00
03/26/2021	6	Sales		-\$72.10
03/21/2021	TL0321	TRUL Withdrawal		-\$2.00
03/21/2021	TL0321	TRUL Withdrawal		-\$5.00
03/18/2021	TL0318	TRUL Withdrawal		-\$5.00
03/16/2021	TL032021	Pre-Release Transaction		\$17.50
03/16/2021	TL0316	TRUL Withdrawal		-\$5.00
03/16/2021	TL0316	TRUL Withdrawal		-\$5.00
03/13/2021	TL0313	TRUL Withdrawal		-\$5.00
03/10/2021	TL0310	TRUL Withdrawal		-\$5.00
03/10/2021	TL0310	TRUL Withdrawal		-\$5.00
03/08/2021	TL032021	Pre-Release Transaction		-\$200.00
03/08/2021	9	Sales		-\$83.40
03/05/2021	WIPP0321	Payroll - IPP		\$70.00
03/05/2021	WIPP0321	Pre-Release Transaction		-\$17.50
03/05/2021	WIPP0221	Payroll - IPP		\$90.00
03/05/2021	WIPP0221	Pre-Release Transaction		-\$22.50
03/05/2021	WIPP0221	Payroll - IPP		\$10.00
03/05/2021	WIPP0221	Pre-Release Transaction		-\$2.50
03/03/2021	TL0303	TRUL Withdrawal		-\$5.00
03/03/2021	TL0303	TRUL Withdrawal		-\$5.00
03/03/2021	33321062	Western Union	CACERES	\$200.00
03/03/2021	33321062	Pre-Release Transaction		-\$50.00
03/02/2021	33321061	Western Union	SERRANO	\$100.00
03/02/2021	33321061	Pre-Release Transaction		-\$25.00

Date: 08/15/2021

Location: BRO

Time: 06:15:35 PM

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
05/28/2021	TL0528	TRUL Withdrawal		-\$5.00
05/25/2021	TL052021	Pre-Release Transaction		\$42.50
05/25/2021	TL0525	TRUL Withdrawal		-\$5.00
05/24/2021	29	Sales		-\$81.80
05/21/2021	TL0521	TRUL Withdrawal		-\$5.00
05/20/2021	TL0520	TRUL Withdrawal		-\$5.00
05/18/2021	TL0518	TRUL Withdrawal		-\$10.00
05/14/2021	TL0514	TRUL Withdrawal		-\$5.00
05/14/2021	TFN0514	Phone Withdrawal		\$5.00
05/12/2021	TFN0512	Phone Withdrawal		-\$5.00
05/10/2021	43	Sales		-\$52.80
05/10/2021	TL0510	TRUL Withdrawal		-\$5.00
05/09/2021	TL0509	TRUL Withdrawal		-\$5.00
05/07/2021	33321127	Western Union	CACERES	\$100.00
05/07/2021	33321127	Pre-Release Transaction		-\$25.00
05/06/2021	WIPP0521	Payroll - IPP		\$70.00
05/06/2021	WIPP0521	Pre-Release Transaction		-\$17.50
05/05/2021	TL0505	TRUL Withdrawal		-\$5.00

Date: 08/15/2021
Time: 06:16:20 PM

Location: BRO

(F)

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
07/30/2021	TL0730	TRUL Withdrawal		-\$5.00
07/28/2021	TL0728	TRUL Withdrawal		-\$5.00
07/27/2021	TL0727	TRUL Withdrawal		-\$10.00
07/27/2021	TL072021	Pre-Release Transaction		\$50.00
07/26/2021	TL0726	TRUL Withdrawal		-\$5.00
07/23/2021	TL0723	TRUL Withdrawal		-\$5.00
07/22/2021	TL072021	Pre-Release Transaction		\$100.00
07/19/2021	TL0719	TRUL Withdrawal		-\$5.00
07/15/2021	TL0715	TRUL Withdrawal		-\$5.00
07/13/2021	TL0713	TRUL Withdrawal		-\$5.00
07/12/2021	TL072021	Pre-Release Transaction		-\$425.00
07/12/2021	22	Sales		-\$103.20
07/12/2021	TL0712	TRUL Withdrawal		-\$5.00
07/11/2021	33321192	Western Union	CACERES	\$300.00
07/11/2021	33321192	Pre-Release Transaction		-\$75.00
07/11/2021	33321192	Western Union	CACERES	\$300.00
07/11/2021	33321192	Pre-Release Transaction		-\$75.00
07/11/2021	TL072021	Pre-Release Transaction		\$10.75
07/09/2021	WIPP0621	Payroll - IPP		\$16.00
07/09/2021	WIPP0621	Pre-Release Transaction		-\$4.00
07/09/2021	WDAP0621	Payroll - DAP		\$27.00
07/09/2021	WDAP0621	Pre-Release Transaction		-\$6.75
07/07/2021	TL0707	TRUL Withdrawal		-\$5.00
07/05/2021	TL0705	TRUL Withdrawal		-\$5.00
07/02/2021	33321183	Western Union	CACERES	\$100.00
07/02/2021	33321183	Pre-Release Transaction		-\$25.00

Inmate #: 71515050

Date: 08/15/2021
Time: 06:17:11 PM

Location: BRO

Federal Bureau of Prisons
TRULINCS Account Transactions - Commissary
Personal Inmate Information

(F)

Inmate No: 71515050 Inmate Name: BAEZ, RAUL		Available Balance: \$153.14		
Date	Reference #	Transaction Type	Sender Last name	Amount
08/14/2021	TL082021	Pre-Release Transaction		\$150.00
08/13/2021	TL0813	TRUL Withdrawal		-\$5.00
08/13/2021	70	Sales		-\$92.25
08/11/2021	TL0811	TRUL Withdrawal		-\$5.00
08/11/2021	TL082021	Pre-Release Transaction		\$50.00
08/11/2021	TL0811	TRUL Withdrawal		-\$5.00
08/09/2021	TL0809	TRUL Withdrawal		-\$5.00
08/09/2021	TL082021	Pre-Release Transaction		\$3.20
08/07/2021	TL0807	TRUL Withdrawal		-\$5.00
08/06/2021	WIPP0721	Payroll - IPP		\$12.80
08/06/2021	WIPP0721	Pre-Release Transaction		-\$3.20
08/05/2021	TL0805	TRUL Withdrawal		-\$5.00
08/03/2021	TL0803	TRUL Withdrawal		-\$5.00
08/03/2021	TL082021	Pre-Release Transaction		\$50.00
08/02/2021	TL0802	TRUL Withdrawal		-\$5.00
08/02/2021	3	Sales		-\$106.95
08/01/2021	TL0801	TRUL Withdrawal		-\$5.00

(F)

BP-S324.052 WORK PERFORMANCE RATING - INMATE CDFRM
OCT 98
U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate's Name RAUL BAEZ	Register No. 71515-050	Unit CIADRE
Evaluation Period 12/20/20 - 1/20/21	Work Assignment GM 7	

Bonus Justification

Signature and Date of Dept. Head Approval

Route to Dept. Head for Review, Then to Unit Team

Instructions: Circle the best statement in each area. Base your rating on the inmate's overall performance for the rating period--neither the inmate's best day nor worst day--as compared to what is expected of a satisfactory worker in the assignment.

A. QUALITY OF WORK

1. Unsatisfactory. Makes more errors than should for this level of training. Work must be redone.
2. Fair. Careless; makes mistakes and does not check work. Should do better work.
3. Satisfactory. Makes some mistakes but no more than expected at this level.
4. Good. Makes fewer mistakes than most inmates at this level of training. Does Journeyman level work.
5. Outstanding. Does superior work.

B. QUANTITY OF WORK

1. Unsatisfactory. Lazy, wastes time, goofs off.
2. Fair. Does just enough to get by. Has to be prodded occasionally.
3. Satisfactory. Works steadily but does not push self.
4. Good. Willing Worker. Does a full day's work and wastes little time.
5. Outstanding. Drives self exceptionally hard all the time.

C. INITIATIVE

1. Unsatisfactory. Always waits to be told what to do. Needs help getting started.
2. Fair. Usually relies on others to say what needs to be done.
3. Satisfactory. Can adapt to changes in routine. Will start work without waiting to be told.
4. Good. Can plan own work well. Acts on own in most things. Doesn't wait to be told what to do.
5. Outstanding. Has good ideas on better ways of doing things.

D. INTEREST; EAGERNESS TO LEARN

1. Poor. Shows no interest in job. Regards job as a drag or waste of time.
2. Fair. Shows minimal supervision. If left unsupervised will pick up the skills. Needs more instructions than most.
3. Satisfactory. Shows average amount of interest. Wants to learn own job but does not put forth extra effort.
4. Good. Above-average interest in job. Asks questions about own work and related work. May do extra work to improve skills.
5. Outstanding. Eager to master job. Wants to know everything there is to know about it. May read up on own time or volunteer to do things that will improve knowledge.

E. ABILITY TO LEARN

1. Poor. Has very low aptitude and is very slow to learn. Even when given extra instruction unable to learn, no matter how hard trying.
2. Fair. Slow but if tries eventually will pick up the skills. Needs more instructions than most.
3. Average. No slower and no faster to learn than most inmates. Requires average amount of instruction.
4. Good. Learns rapidly. Good memory. Rarely makes the same mistake twice.
5. Outstanding. Very quick to learn. Excellent memory. Is learning much more rapidly than most inmates assigned here. Never makes the same mistake twice.

F. NEED FOR SUPERVISION; DEPENDABILITY; SAFETY; CARE OF EQUIPMENT

1. Needs constant supervision. If left unsupervised will foul up, get in trouble, or wander off. Undependable.
2. Needs closer supervision than most. Not very dependable.
3. Average. Can be relied on for certain things but must be supervised by others. Usually prompt and dependable.
4. Needs little supervision. Good record of dependability and promptness.
5. No supervision required. Completely dependable in all things.

G. RESPONSE TO SUPERVISION AND INSTRUCTION

1. Poor. Resentful and hostile. May argue with supervisor.
2. Fair. Resists or ignores suggestions.
3. Satisfactory. Generally does what is told without any fuss.
4. Good. No hostility or resentment. Tries to improve.
5. Outstanding. Makes a real effort to please the instructor. Does exactly as is told.

H. ABILITY TO WORK WITH OTHERS

1. Poor. Negativistic, hostile, annoying to others.
2. Fair. Doesn't make friends easily. Has some interpersonal difficulties.
3. Satisfactory. Gets along OK with most co-workers and is accepted by them.
4. Good. Friendly, congenial, helpful; others like to work with.
5. Outstanding. Gets along well with everyone. Very popular.

I. OVERALL JOB PROFICIENCY

Based on this inmate's overall performance during this work period, if this inmate was an employee of yours in the community would you:

1. Fire or lay off that individual?
2. Transfer the person to a less demanding job at a lower pay scale?
3. Continue to employ the person but without a raise or promotion this time?
4. Raise the person's pay but keep the person at the same job?
5. Promote the person to a more demanding job at a higher pay rate?

J. GRADES AND PAY

1. Performance Pay - Grade Class (Circle one) **2 - 3 - 4 - M.**2. Hours of Satisfactory work **300**3. Regular Pay **\$ 120.00**4. Bonus Recommended: ☐ yes; ☒ no5. Total Pay **\$ 120.00**Supervisor's Signature **Sam S**

Date

2-23-21Inmate's Signature **Raul Baez**

Date

2-23-21

Inmate _____ was requested to sign this rating, but refused, citing the following reason:

Staff Witness' Signature

Date

(This form may be replicated via WP)

Replaces BP-5324, OCT 94

Inmate's Name PAUL BAEZ		Register No. 71515-050		Unit CHADRS	
Evaluating Period 2/3/21 - 2/28/21		Work Assignment GM 9			
Inmate's Signature <i>Paul Baez</i>					
Supervisor's Signature <i>[Signature]</i>					
Date 2-23-21					
Inmate's Signature <i>[Signature]</i>					
Date 2-23-21					
Was requested to sign this rating, but refused, citing the following reason:					
Date					
Staff Witness' Signature					
Date					

Instructions: Circle the best statement in each area. Base your rating on the inmate's overall performance for the rating period--neither the inmate's best day nor worst day--as compared to what is expected of a satisfactory worker in the assignment.

Route to Dept. Head for Review, then to Unit Team

Signature and Date of Dept. Head Approval

INMATE WORKS ADDITIONAL HOURS OUTSIDE OF HIS REGULAR DETAIL WITHOUT THE INSTRUCTION AND FOR MULTIPLE THINGS.

U.S. DEPARTMENT OF JUSTICE
BP-5324.052 WORK PERFORMANCE RATING - INMATE CDPRM
OCT 98

A. QUALITY OF WORK

1. Unsatisfactory. Makes more errors than should for this level of training. Work must be redone.
2. Fair. Careless; makes mistakes and does not check work. Should do better work.
3. Satisfactory. Makes mistakes but no more than expected at this level.
4. Good. Makes fewer mistakes than most inmates at this level of training. Does journeyman level work.
5. Outstanding. Does superior work.

B. QUANTITY OF WORK

1. Unsatisfactory. Lazy, wastes time, goes off.
2. Fair. Does just enough to get by. Has to be prodded occasionally.
3. Satisfactory. Works steadily but does not push self.
4. Good. Milling worker. Does a full day's work and wastes little time.
5. Outstanding. Drives self exceptionally hard all the time.

C. INITIATIVE

1. Unsatisfactory. Always waits to be told what to do. Needs help getting started.
2. Fair. Usually relies on others to say what needs to be done.
3. Satisfactory. Can adapt to changes in routine. Will start work without waiting to be told.
4. Good. Can plan own work well. Acts on own in most things.
5. Outstanding. Has good ideas on better ways of doing things.

D. INTEREST; EAGERNESS TO LEARN

1. Fair. Shows no interest in job. Regards job as a drag or waste of time.
2. Fair. Shows some interest but not very eager to learn.
3. Satisfactory. Shows average amount of interest. Wants to learn own job but does not put forth extra effort.
4. Good. Above-average interest in job. Asks questions about own work and related work. May do extra work to improve skills.
5. Outstanding. Eager to master job. Wants to know everything there is to know about it. May read up on own time or volunteer to do things that will improve knowledge.

E. ABILITY TO LEARN

1. Fair. Low aptitude and is very slow to learn. Even when given extra instruction unable to learn, no matter how hard trying.
2. Fair. Slow but if it takes eventually will pick up the skills. Needs more instructions than most.
3. Satisfactory. Shows average amount of learning. Requires average amount of instruction.
4. Good. Learns rapidly. Rarely makes the same mistake twice.
5. Outstanding. Very quick to learn. Excellent memory. Is learning much more rapidly than most inmates assigned here. Never makes the same mistake twice.

F. NEED FOR SUPERVISION; DEPENDABILITY; SAFETY; CARE OF EQUIPMENT

1. Needs closer supervision than most. Not very dependable. Will goof up, get in trouble, or wander off. Undependable.
2. Needs constant supervision. Is left unsupervised will goof up.
3. Average. Can be relied on for certain things but must be supervised by others. Usually prompt and dependable.
4. Good. Little supervision. Good record of dependability in all things.
5. No supervision required. Completely dependable in all things.

G. RESPONSE TO SUPERVISION AND INSTRUCTION

1. Poor. Resentful and hostile. May argue with supervisor.
2. Fair. Resists or ignores suggestions.
3. Satisfactory. Generally does what is told without any fuss.
4. Good. Makes a real effort to please the instructor. Does exactly as is told.
5. Outstanding. Gets along well with everyone. Very popular.

H. ABILITY TO WORK WITH OTHERS

1. Poor. Negativistic, hostile, annoying to others.
2. Fair. Doesn't make friends easily. Has some interpersonal difficulties.
3. Satisfactory. Gets along OK with most co-workers and is accepted by them.
4. Good. Friendly, congenial, helpful; others like to work with.
5. Outstanding. Gets along well with everyone. Very popular.

I. OVERALL JOB PROFICIENCY

1. Fire or lay off that individual?
2. Transfer the person to a less demanding job at a lower pay scale?
3. Continue to employ the person but without a raise or promotion this time?
4. Raise the person's pay but keep the person at the same job?
5. Promote the person to a more demanding job at a higher pay rate?

J. GRADES AND PAY

Based on this inmate's overall performance during this work period, if this inmate was an employee of yours in the community would you:

1. Performance Pay - Grade Class (Circle one) **1 - 2 - 3 - 4 - M.**
2. Hours of Satisfactory work **90.00**
3. Regular Pay **\$ 20.00**
4. Bonus Recommended: **yes** - no **90.00**
5. Total Pay **\$ 20.00**

+ 20.00 BONUS

(6)

MALE PATTERN RISK SCORING

Register Number:		71515-050	Date:		11/17/2020	
Inmate Name:		Baez, Raul				
MALE RISK ITEM SCORING		CATEGORY	GENERAL SCORE	Enter Score	VIOLENT SCORE	Enter Score
1. Current Age 30-40 Click on gray dropdown box to select, then click on dropdown arrow		> 60	0	21	0	12
		51-60	7		4	
		41-50	14		8	
		30-40	21		12	
		26-29	28		16	
		< 26	35		20	
2. Walsh w/Conviction No	No	No	0	0	0	0
		Yes	1		0	
3. Violent Offense (PATTERN) No	No	No	0	0	0	0
		Yes	5		5	
4. Criminal History Points 4 - 6 Points		0 - 1 Points	0	16	0	8
		2 - 3 Points	8		4	
		4 - 6 Points	16		8	
		7 - 9 Points	24		12	
		10 - 12 Points	32		16	
		> 12 Points	40		20	
5. History of Escapes None	None	None	0	0	0	0
		> 10 Years Minor	2		1	
		5 - 10 Years Minor	4		2	
		< 5 Years Minor/Any Serious	6		3	
6. History of Violence None	None	None	0	0	0	0
		> 10 Years Minor	1		1	
		> 15 Years Serious	2		2	
		5 - 10 Years Minor	3		3	
		10 - 15 Years Serious	4		4	
		< 5 Years Minor	5		5	
		5 - 10 Years Serious	6		6	
		< 5 Years Serious	7		7	
7. Education Score HS Degree / GED		Not Enrolled	0	-4	0	-2
		Enrolled in GED	-2		-1	
		HS Degree / GED	-4		-2	
8. Drug Program Status No Need		No DAP Completed	0	-9	0	-3
		NRDAP Complete	-3		-1	
		RDAP Complete	-6		-2	
		No Need	-9		-3	
9. All Incident Reports (120 months) 0	0	0	0	0	0	
		1		1		1
		2		2		2
		> 2		3		3
10. Serious Incident Reports (120 months) 0	0	0	0	0	0	
		1		2		2
		2		4		4
		> 2		6		6
11. Time Since Last Incident Report 12+ months or no incidents	12+ months or no incidents	0	0	0	0	
		7-12 months		2		1
		3-6 months		4		2
		<3		6		3
12. Time Since Last Serious Incident Report 12+ months or no incidents	12+ months or no incidents	0	0	0	0	
		7-12 months		1		2
		3-6 months		2		4
		<3		3		6
13. FRP Refuse NO	NO	0	0	0	0	
		YES		1		1
14. Programs Completed 2 - 3	0	0	-4	0	-2	
		1		-2		-1
		2 - 3		-4		-2
		4 - 10		-6		-3
		> 10		-8		-4
15. Work Programs 0 Programs	0 Programs	0	0	0	0	
		1 Program		-1		-1
		>1 Program		-2		-2
Total Score (Sum of Columns)			General:	20	Violent:	13
General/Violent Risk Levels			General:	Low	Violent:	Low
OVERALL MALE PATTERN RISK LEVEL			Low			

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: BAEZ, PAUL 71515-050 5 NORTH MDC-BRO
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

PLEASE SEE THE ATTACHED LETTER DATED MAY 17, 2021
AND THE RELATED ENCLOSED ATTACHMENTS,

5-17-21

DATE _____

SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE _____

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

Part C - RECEIPT

CASE NUMBER:

Return to: _____

LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION
----------------------------------	----------	------	-------------

SUBJECT: _____

DATE _____

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

(5)

TRULINCS 71515050 - BAEZ, RAUL - Unit: BRO-D-A

FROM: 71515050

TO:

SUBJECT: BP-10 (Appeal for BP-9)

DATE: 05/17/2021 05:04:26 PM

I am sending this appeal after I attempted to come to an informal resolution within the institution, BP-8 on 4-29-2021, please see attachment (A)(1) and (A). I continued to exhaust my remedies by sending a BP-9 on 5-4-2021, please see attachment (D). I received my response from the institution on 5-13-2021, please see attachment (E). According to my calculations I am owed 45 days time for Evidence Based Recidivism Reduction Programming and Productive Activities from 1-15-2020 to present for a total of 795 hours, see attachment (B) and (C). Using the formula of 8 hours being considered a day, as seen in attachment (H) under 523.42 Earning First Step Act Time Credits. Then 240 hours is a month, for a total of 15 days earned time credit because of my pattern score, see attachment (G). I have also completed 1430 hours of paid work, according to my calculation of pay divided by .40 cents equal hours, which is equally 89 days, see attachment (F). Finally please see attachment (I) for hours earned after completion of course. Thank you for your time for reviewing my appeal.

Raul Baez 71515-050

U.S. Department of Justice

Tracking #

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

7018 2290 0002 0659 0254 (K)

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Baez, Raul 71515-050 5-North DA-03-03 MDC
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION Brooklyn

Part A - REASON FOR APPEAL

I am sending this in reference to my case, Remedy ID #: 1079926-R1. The response due date as seen in attachment (A) is substantially way past the due date. I am trying to obtain an answer in order to continue to exhaust my remedies if need be. Thank You for your time.

8-09-2021

DATE

Raul Baez

SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL



(K)

EXTENSION OF TIME FOR RESPONSE - ADMINISTRATIVE REMEDY

DATE: JULY 29, 2021

FROM: ADMINISTRATIVE REMEDY COORDINATOR
NORTHEAST REGIONAL OFFICE

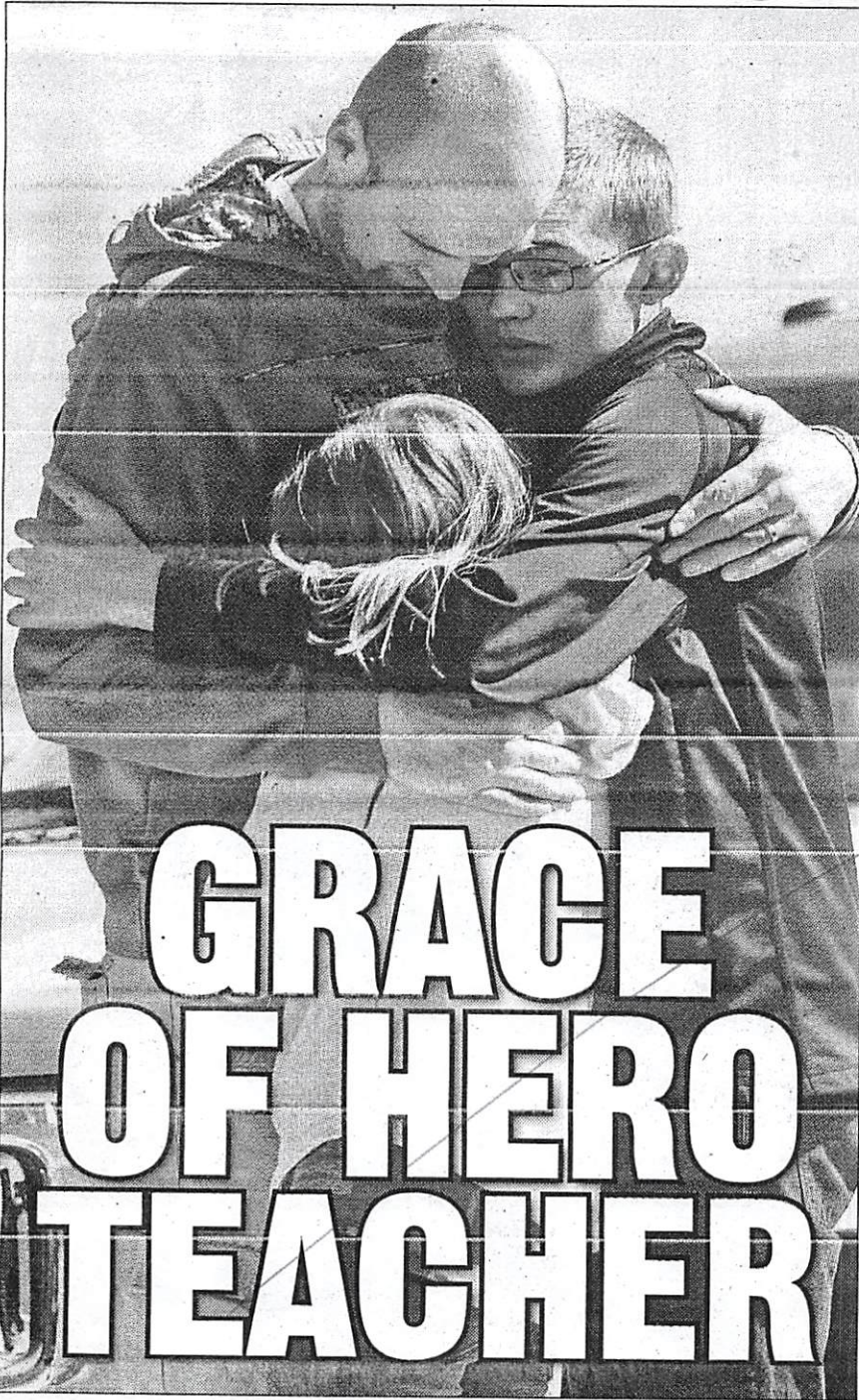
TO : RAUL BAEZ, 71515-050
BROOKLYN MDC UNT: K CADRE M QTR: D03-003L

ADDITIONAL TIME IS NEEDED TO RESPOND TO THE REGIONAL APPEAL
IDENTIFIED BELOW. WE ARE EXTENDING THE TIME FOR RESPONSE AS PROVIDED
FOR IN THE ADMINISTRATIVE REMEDY PROGRAM STATEMENT.

REMEDY ID : 1079926-R1
DATE RECEIVED : MAY 24, 2021
RESPONSE DUE : JULY 23, 2021
SUBJECT 1 : OTHER JAIL TIME CREDIT
SUBJECT 2 :

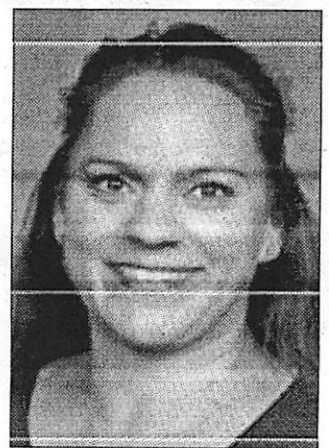
Exhibit # 2

Embrace after halting 6th-grade shooter



'I LOVE YOU ALL!'

Family members embrace Thursday after the shooting at Rigby MS in Idaho where three people were shot but none killed. Krista Turnblom Gneiting (right) was able to disarm the sixth-grade girl who had come to school packing a handgun and fired off several shots, injuring two students and one school staffer, a custodian named Jim Wilson. "Thank you! I love you all," Gneiting wrote after the shooting.



By YARON STEINBUCH

The heroic teacher who disarmed a sixth-grade girl who opened fire at an Idaho middle school, wounding two students and a custodian, thanked the community for its support after the shocking incident.

"My heart is touched by all the incredible outpouring of love I've received," Krista Turnblom Gneiting wrote on Facebook hours after she disarmed the girl and held her until cops arrived.

"Thank you. I don't want money, I just appreciate the incredible support of Rigby!!! I love my students so much! It is why I teach!! They make my heart happy every every day!!!!" Gneiting continued.

"All of the staff at Rigby did their part and kept our wonderful children safe! Thank you! I love you all and we will get through this together," she added after the shooting at Rigby MS shortly after 9 a.m. Thursday.

The three victims suffered bullet wounds to the arms and legs and are expected to survive, officials said.

The girl pulled a handgun from her bag and fired multiple rounds both

inside and outside the school, according to Jefferson County Sheriff Steve Anderson.

Prosecuting attorney Mark Taylor said the girl could be charged with three counts of attempted murder, adding that his office will make the decision once authorities conclude their investigation, according to EastIdahoNews.com.

Police are investigating where she got the firearm and what motivated her to turn it on her classmates, authorities said.

The custodian who was wounded, identified as Jim Wilson, was reportedly treated at Eastern Idaho Regional Medical Center and released by Thursday afternoon.

One student was shot once in an extremity and may require surgery, said Dr. Michael Lemon, the hospital's trauma medical director. The other student was shot potentially twice and hit in two limbs.

"The fact the injuries are as insignificant as they are — they could be so much worse, so we feel absolutely blessed," Lemon said.

All Friday classes were canceled in the district because of the shooting and counselors have been made available.

Judge: 'Morons' run jails

A senior judge in New York blasted the conditions of two notorious federal jails in the city during a recent sentencing hearing — saying they are run by "morons" who subject prisoners to disgusting conditions, according to a court transcript.

Manhattan federal Judge Colleen McMahon ranted about the inhumane conditions at the Metropolitan Correctional Center in lower Manhattan and the Metropolitan

Detention Center in Brooklyn during the sentencing of convicted drug dealer Tiffany Days.

McMahon said the lockups were "run by morons" who fail to "do anything meaningful" about conditions at the jails, according to the transcript of the April 29 hearing.

The judge added wardens at the facilities "cycle repeatedly, never staying for longer than a few months or even a year." Ben Feuerherd

Mom-killer: 'I loved her'

The fiend accused of stomping on an Asian woman's head in a Midtown hate attack previously told a New York parole board that he had an excellent relationship with his mother and "loved" her — despite knifing her to death years earlier.

Brandon Elliot, 38, had been locked up for killing his mother in 2002 and denied parole twice but was then granted release by the board in 2019.

"I had an excellent relationship. She was a hardworking parent ... I loved her," Elliot told the board, according to a partially redacted transcript reviewed by The Post.

In March of this year, Elliot drew national outrage when he was allegedly seen on video mercilessly punching and kicking a 65-year-old Asian woman, and screaming: "F---k you, you don't belong here!"

Tina Moore and Ben Feuerherd

sentenced under the U.S. Code and in the custody of the Bureau who is not serving a term of imprisonment for a conviction specified in 18 U.S.C. 3632(d)(4)(D). Only an "eligible inmate" is eligible to earn FSA Time Credits. An inmate who is in the custody of the Bureau, but is serving a term of imprisonment pursuant to only a conviction for an offense under the law of one of the fifty (50) states, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, the Commonwealth of the Mariana Islands, American Samoa, or any other territory or possession of the United States is not an "eligible inmate."

(2) *Eligible to have FSA Time Credits applied towards pre-release custody or early transfer to supervised release.* Any inmate who is subject to a final order of removal under immigration laws as defined in 8 U.S.C. 1101(a)(17) is not eligible to have FSA Time Credits applied towards pre-release custody or early transfer to supervised release under 18 U.S.C. 3624(g).

§ 523.42 Earning First Step Act Time Credits.

An eligible inmate who successfully completes an Evidence-Based Recidivism Reduction program or Productive Activity that is assigned to the inmate based on the inmate's risk and needs assessment may earn FSA Time Credits as follows:

(a) An eligible inmate must successfully complete each Evidence-Based Recidivism Reduction program or Productive Activity before the inmate may earn FSA Time Credits. FSA Time Credits will not be given for anything less than successful completion of each Evidence-Based Recidivism Reduction program or Productive Activity.

(b) After an eligible inmate successfully completes an Evidence-Based Recidivism Reduction program or Productive Activity, the eligible inmate will be awarded ten days of FSA Time Credits for every thirty "days" of participation in a successfully completed Evidence-Based Recidivism Reduction program or Productive

Activity. For purposes of earning FSA Time Credits, a "day" is defined as one eight-hour period of participation in an Evidence-Based Recidivism Reduction program or Productive Activity that an eligible inmate successfully completes.

(c) *Low/Minimum recidivism risk.* An eligible inmate will earn an additional five days of FSA Time Credits for every thirty "days" of participation in a Evidence-Based Recidivism Reduction program or Productive Activity that the eligible inmate successfully completes if the inmate:

(1) Is determined by the Bureau to be at a minimum or low risk for recidivating; and

(2) Has not increased his or her risk of recidivism over the most recent two consecutive risk and needs assessments conducted by the Bureau. For purposes of earning FSA Time Credits, a "day" is defined as one eight-hour period of participation in an Evidence-Based Recidivism Reduction program or Productive Activity that an eligible inmate successfully completes.

(d) *When FSA Time Credits may be earned.* FSA Time Credits may only be earned by an eligible inmate:

(1) For an Evidence-Based Recidivism Reduction program or Productive Activity authorized by the Bureau, that is assigned to the particular inmate based on his or her risk and needs assessment, and which the eligible inmate successfully completes on or after January 15, 2020; and

(2) After the date that the inmate's term of imprisonment commences. An inmate's term of imprisonment commences when the inmate arrives or voluntarily surrenders at the designated Bureau facility where the sentence will be served.

(3) FSA Time Credits can only be earned while an eligible inmate is in a Bureau facility. FSA Time Credits will not be earned in a Residential Reentry Center or on home confinement.

§ 523.43 Loss of FSA Time Credits.

(a) Inmates may lose earned FSA Time Credits for violation of prison rules, or requirements and/or rules of an

Evidence-Based Recidivism Reduction program or Productive Activity. The procedures for loss of FSA Time Credits are those described in 28 CFR part 541.

(b) Inmates may seek review of the loss of earned FSA Time Credits through the Bureau's Administrative Remedy Program (28 CFR part 542).

(c) Inmates who have lost FSA Time Credits under this regulation may have part or all of the FSA Time Credits restored to them, on a case-by-case basis, after:

(1) Clear conduct for at least four consecutive risk and needs assessments; or

(2) In the case of a loss of FSA Time Credits due to a violation of the requirements and/or rules of an Evidence-Based Recidivism Reduction program or Productive Activity, after successful completion of an Evidence-Based Recidivism Reduction program or Productive Activity assigned based on the risk and needs assessment after the date of the rule or program violation.

PART 541—INMATE DISCIPLINE AND SPECIAL HOUSING UNITS

■ 2. The authority citation for part 541 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4161–4166 (Repealed as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510.

■ 3. In § 541.3, amend Table 1 by adding the entry B.2 under the headings "Available Sanctions for Greatest Severity Level Prohibited Acts", "Available Sanctions for High Severity Level Prohibited Acts", "Available Sanctions for Moderate Severity Level Prohibited Acts", and "Available Sanctions for Low Severity Level Prohibited Acts" to read as follows:

§ 541.3 Prohibited acts and available sanctions

* * * * *

TABLE 1—PROHIBITED ACTS AND AVAILABLE SANCTIONS

Available Sanctions for Greatest Severity Level Prohibited Acts	
B.2	Forfeit up to 120 days of FSA Time Credits.

WI; removing the city associated with the airport to comply with changes in FAA Order 7400.2M; and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

And amending the Class E airspace extending upward from 700 feet above the surface to within a 6.4-mile (decreased from a 7.3-miles) radius of Richland Airport, Richland Center, WI, which is contained within the Lone Rock, WI, airspace legal description; and updating the name (previously Richland Center Airport) and geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is the result of airspace reviews caused by the decommissioning of the Lone Rock VOR, which provided navigation information for the instrument procedures these airports, as part of the VOR MON Program.

Class E airspace designations are published in paragraph 6002 and 6005 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and

Procedures" prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 6002 Class E Airspace Areas Designated as a Surface Area.

* * * * *

AGL WI E2 Lone Rock, WI [Remove]

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

AGL WI E5 Lone Rock, WI [Amended]

Tri-County Regional Airport, WI
(Lat. 43°12'43" N, long. 90°10'47" W)
Richland Airport, WI
(Lat. 43°17'00" N, long. 90°17'54" W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Tri-County Regional Airport, and within a 6.4-mile radius of the Richland Airport.

Issued in Fort Worth, Texas, on November 19, 2020.

Steven T. Phillips,

*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2020-25973 Filed 11-24-20; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 523 and 541

[BOP-1176P]

RIN 1120-AB76

FSA Time Credits

AGENCY: Bureau of Prisons, Justice.

ACTION: Proposed rule.

SUMMARY: This proposed rule would codify the Bureau of Prisons (Bureau) procedures regarding time credits as authorized by the First Step Act of 2018 (FSA), hereinafter referred to as "FSA Time Credits." The FSA provides that eligible inmates may earn FSA Time Credits towards pre-release custody or early transfer to supervised release for successfully completing approved Evidence-Based Recidivism Reduction programs or Productive Activities that are assigned to the inmate based on the inmate's risk and needs assessment. Eligible inmates include those individuals who are sentenced under the U.S. Code and in the custody of the Bureau. However, as required by the FSA, an inmate cannot earn FSA Time Credits if he or she is serving a sentence for a disqualifying offense or has a disqualifying prior conviction. However, these inmates can still earn other benefits, as authorized by the Bureau, for successfully completing recidivism reduction programming.

DATES: Electronic comments must be submitted, and written comments must be postmarked, no later than 11:59 p.m. on January 25, 2021.

ADDRESSES: Please submit electronic comments through the *regulations.gov* website, or mail written comments to the Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street NW, Washington, DC 20534.

FOR FURTHER INFORMATION CONTACT: Sarah Qureshi, Office of General Counsel, Bureau of Prisons, phone (202) 353-8248.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at *www.regulations.gov*. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also locate

BAEZ, RAUL 71515050

procedures for the reduction of FSA Time Credits for inmates under these circumstances. See 18 U.S.C. 3632(e). If this occurs, inmates may seek review of the loss of earned FSA Time Credits through the Bureau's Administrative Remedy Program (28 CFR part 542).

Also, inmates may have part or all of the lost FSA Time Credits restored to them, to be determined on a case-by-case basis, after clear conduct for at least four consecutive risk assessments. In the case of a loss of FSA Time Credits due to a violation of the requirements and/or rules of an Evidence-Based Recidivism Reduction program or Productive Activity, an inmate may have FSA Time Credits restored if the inmate successfully completes an Evidence-Based Recidivism Reduction program or Productive Activity assigned to the inmate based on the inmate's risk and needs assessment after the date of the rule or program violation, again, to be determined on a case-by-case basis.

The Bureau also proposes to make conforming amendments in 28 CFR part 541 to regulations on inmate discipline. As part of the FSA Time Credits proposal, the Bureau proposes to add in § 541.3, Table 1 (Prohibited Acts and Available Sanctions), appropriate sanctions to allow for forfeiture of FSA Time Credits in escalating amounts depending on the severity level of the prohibited act committed. The FSA Time Credit forfeiture sanctions mirror the current forfeiture sanctions in place for loss of Good Conduct Time. If an inmate commits a second violation of the same Low Severity prohibited act code within a six months, that inmate may receive a sanction of forfeiture of up to 7 days of FSA Time Credits, but a third violation of the same prohibited act within six months period may result in a sanction of forfeiture of up to 14 days of FSA Time Credits. For commission of a prohibited act in the Moderate category, a sanction up to 30 days of FSA Time Credits credit may be applied. Commission of a High Severity act may result in forfeiture of up to 60 days of FSA Time Credits, and commission of a Greatest Severity act may result in forfeiture of up to 120 days of FSA Time Credits.

All sanctions involving loss of FSA Time Credits may only be imposed by in the discretion of a Disciplinary Hearing Officer (DHO) after the process described in 28 CFR part 541, and may also be appealed through the Bureau's Administrative Remedy Process described in 28 CFR part 542. The procedures in 28 CFR parts 541 and 542 allow for inmate discipline and an appeals process that are both well-established and consistent with current

Bureau operations. Bureau DHOs will use their considerable correctional experience and training, as they currently do, and will only, after careful consideration of several factors, including the nature and seriousness of the violation in connection with the FSA Time Credit Program, limit appropriate sanctions to befit the nature of the prohibited act committed.

Regulatory Analyses

Executive Orders 12866, 13563, and 13771

This proposed rule falls within a category of actions that the Office of Management and Budget (OMB) has determined constitutes a "significant regulatory actions" under section 3(f) of Executive Order 12866 and, accordingly, it was reviewed by OMB.

The economic impact of this proposed rule is limited to a specific subset of inmates who are eligible to both earn and apply FSA Time Credits towards additional prerelease custody or early transfer to supervised release.

Under the FSA, FSA Time Credits may be earned by an eligible inmate who is assessed to have a minimum or low risk for recidivating and who has had no increased risk of recidivism over the most recent two consecutive assessments conducted by the Bureau. Consistent with the FSA, inmates in Bureau custody are assessed under its risk assessment system, Prisoner Assessment Tool Targeting Estimated Risk and Need (PATTERN), which includes both static and dynamic elements. For example on August 27, 2020, 131,386 inmates had been assessed under PATTERN and received a PATTERN score were in Bureau custody. The PATTERN scores for the entire group of 131,386 were: 50,060 classified as high; 25,043 classified as medium; 38,084 classified as low; and 18,199 classified as minimum. Of these inmates, approximately 65,000 would be ineligible to earn FSA Time Credits under the FSA due to the inmate's crime of conviction. This data represent a snapshot of those inmates in Bureau custody as of August 27, 2020. The Bureau anticipates that this data will change continually, as inmates in custody earn reductions in PATTERN risk classification, based on program participation and other dynamic factors, and inmates enter and release from Bureau custody.

The Bureau anticipates that as a result of this proposed rule and the FSA, additional inmates will engage in programming to earn FSA Time Credits. As discussed above, FSA Time Credits may be earned for successful

completion of an Evidence-Based Recidivism Reduction program or Productive Activity that is assigned to an inmate based on the inmate's needs assessment. The current list of these programs can be found at: https://www.bop.gov/inmates/fsa/docs/evidence_based_recidivism_reduction_programs.pdf. These programs are available to all inmates regardless of an inmate's eligibility to earn FSA Time Credits. At present, the Bureau has existing funding that provides for each of the Evidence-Based Recidivism Reduction programs and Productive Activities listed, so the Bureau will not experience current additional programming costs as a result of the proposed rule.

The proposed rule may also result in movement of eligible inmates who earn FSA Time Credits from Bureau facilities to prerelease custody in the community (including Residential Reentry Centers (RRCs) and/or home confinement) earlier in the course of their confinement and for a longer period of time than would have previously occurred. In some cases, this transfer of time from secured confinement to prerelease custody may result in increased costs, depending on the relative costs of the inmate's current facility and the costs associated with housing and/or supervision in prerelease custody.

The proposed rule may also result in the early transfer of inmate from custody to supervised release, functionally shortening their sentences. In such cases, the Bureau would benefit from the avoidance of costs which would otherwise have been incurred to confine the affected inmates for that amount of time.

Notably, this proposed rule is limited to the processes for earning, awarding, and losing FSA Time Credits, and does not address the mechanisms through which those FSA Time Credits may be applied towards additional time in prerelease custody or early transfer to supervised release. Future decisions on that issue will significantly impact the relative amount of cost increases and cost savings to the Bureau. At present, therefore, specific costs or savings for these future actions cannot be calculated. Further, any increased costs or savings resulting from application of this proposed rule will only be realized at the end of an eligible inmate's sentence, as they are transferred to prerelease custody and/or released earlier to commence their term of supervised release. Therefore, the increased costs or cost savings realized from this proposed rule will not be fully realized for years to come, as increasing

U.S. Department of Justice
Federal Bureau of Prisons

Evidence-based Recidivism Reduction (EBRR) Programs and Productive Activities (PA)



The BOP assesses inmates for criminogenic needs and other needs that are associated with an increased risk of recidivism in the following areas: Anger/Hostility; Antisocial Peers; Cognitions; Dyslexia; Education; Family/Parenting; Finance; Poverty; Medical; Mental Health; Recreation/Leisure/Fitness; Substance Abuse; Trauma; and Work. The needs assessment system, inclusive of the screening and other assessment instruments and/or tools developed, is used to appropriately identify the individual needs of each inmate to assign appropriate evidence-based recidivism reduction programming (EBRRs) and productive activities.

Evidence-based Recidivism Reduction (EBRR) Programs

EBRR Name (short description)	Duration	Frequency	Hours ¹	Program Location(s)	Needs(s) Addressed
Bureau Literacy Program (Reading, math, and writing skills leading to high school equivalency)	Dependent on inmate progress	1.5 hours/day	240	All BOP institutions ²	Dyslexia, Education
Occupational Education Programs (Vocational training and marketable skills in a wide variety of trades)	Varies	Varies	500	All BOP institutions	Work
Federal Prison Industries (Trade name UNICOR, a job skills program)	Indefinite Duration	Full or shared half time	500	57 factories and 2 farms located at 51 facilities	Work
National Parenting from Prison Program (Program focused on family engagement and parenting skills)	Phase 1: 4 weeks; Phase 2: 5 - 10 weeks	2 hours/week	40	All BOP institutions	Family/Parenting
BRAVE (CBT ³ for young males with first offense)	6 months	20 hours/week	500	Beckley; Victorville-Medium	Antisocial Peers, Cognitions
Challenge (CBT for high security males focused on substance use and mental illness intervention)	Minimum of 9 months	20 hours/week	500	At 17 high security facilities ⁴	Cognitions, Mental Health, Substance Abuse
Female Integrated Treatment (CBT program for women addressing mental illness, trauma, substance use and vocational needs)	Varies based on individual need	20 hours/week	500	Danbury - female	Cognitions, Mental Health, Substance Abuse, Trauma, Work
Mental Health Step Down Program (CBT for SMI ⁵ inmates)	12-19 months	20 hours/week	500	Allenwood- High; Atlanta; Butner-Medium	Cognitions, Mental Health
Residential Drug Abuse Treatment Program (RDAP) (CBT for inmates with diagnosed substance use disorders)	9 months	20 hours/week	500	At 88 locations ⁶	Cognitions, Substance Abuse

¹ Hours Awarded for Completion

² All BOP institutions means the program can be offered; scheduled offerings will be based on specific population needs.

³ CBT – Cognitive Behavioral Therapy

⁴ See BOP National Programs Catalog for specific locations

⁵ SMI - Serious Mental Illness

⁶ See BOP National Programs Catalog for specific locations

EBRR Name (short description)	Duration	Frequency	Hours	Program Location(s)	Needs(s) Addressed
Resolve Program (Trauma treatment)	40 weeks	Varies	80	All female sites except satellites; Florence and Danbury - male	Cognitions, Mental Health, Trauma
STAGES Program (High intensity CBT for SMI and personality disorder inmates)	12-18 months	20 hours/week	500	Florence High; Terre Haute - Medium	Cognitions, Mental Health
Skills Program (CBT and educational residential programs for inmates with cognitive impairments)	12-18 months	20 hours/week	500	Danbury; Coleman-Medium	Cognitions, Mental Health
Life Connections Programs (Faith-based values and life skills program)	18 months	20 hours/week	500	Petersburg - Low; Leavenworth; Milan; Terre Haute - High; Carswell	Family/Parenting
Anger Management (CBT program to manage anger)	12 Sessions	1.5 hours/week	18	All BOP institutions	Anger/Hostility Cognitions
Assert Yourself for Female Offenders (CBI ⁸ and psychoeducational program that teaches women to be assertive)	8 weeks	1 hour/week	8	All female sites	Cognitions, Family/Parenting
Basic Cognitive Skills (Introductory program to CBT)	12-16 weeks	1 - 1.5 hours/week	24	All BOP institutions	Cognitions
Criminal Thinking (Rational behavioral therapy for addressing antisocial cognitions)	12-18 sessions	1.5 hours/week	27	All BOP institutions	Antisocial Peers, Cognitions
Emotional Self-Regulation (CBT for managing personal emotions)	8-12 sessions	1-2 hours/week	24	All BOP institutions	Cognitions, Mental Health
Illness Management and Recovery (CBT for SMI)	12-40 sessions	Up to 1.5 hours/week	60	All BOP institutions	Mental Health
Social Skills Training (SST) for Schizophrenia (CBT for SMI)	Varies	Varies	60	All BOP institutions	Cognitions, Mental Health
Threshold Program (Faith-based program focused on values and life skills)	6-9 months	1.5 - 2 hours/week	72	All BOP institutions	Family/Parenting

⁷ Hours Awarded for Completion

⁸ CBI - Cognitive Behavioral Intervention

Productive Activities (PA)

PA Name (short description)	Duration	Frequency	Hours	Program Location(s)	Needs(s) Addressed
English-as-a-Second Language	Depends on inmate progress	Minimum of 1.5 hours/day	500	All BOP institutions	Education, Work
Drug Education	Varies	Varies	15	All BOP institutions	Substance Abuse
Non-Residential Drug Abuse Treatment Program	3-6 months	1.5 - 2 hours/week	24	All BOP institutions	Cognitions, Substance Abuse
Sex Offender Treatment Program (Residential and Non-Residential)	9-12 months	12 hours/week	500	Carswell; Devens; Elkton; Englewood; Petersburg-Medium; Marianna; Marion; Seagoville; Tucson-High	Cognitions
Ultra Key 6: The Ultimate Keyboarding Tutor (Typing skills)	Varies	Self-paced	20	All BOP institutions	Education, Work
A Healthier Me in the BOP (Educational wellness program for women)	4 sessions	1.25 hours/week	5	All female sites	Recreation/Leisure/Fitness
A Matter of Balance (Helps build self-efficacy in strength and mobility)	8 sessions	2 hours/week	16	All BOP institutions	Recreation/Leisure/Fitness
AARP Foundation Finances 50+ (Financial literacy for older adults)	3 sessions	1.5 hours/week	5	All BOP institutions	Finance/Poverty
Access (Program to assist women overcoming domestic violence)	5 sessions	2 hours/week	10	All female sites	Cognitions, Mental Health, Trauma
Alcoholics Anonymous	Varies	Varies	50	All BOP institutions	Substance Abuse
Arthritis Foundation Walk with Ease	6 weeks	Varies	6	All BOP institutions	Medical, Recreation/Leisure/Fitness
Beyond Violence: A Prevention Program for Criminal-Justice Involved Women (Women focusing on anger management)	20 sessions	2 hours/week	40	All female sites	Anger/Hostility, Cognitions
Brain Health as You Age: You can Make a Difference! (Improved memory and decision-making)	Varies	Varies	5	All BOP institutions	Medical, Recreation/Leisure/Fitness
Brief CBT for Suicidal Individuals (Addresses suicidality)	Varies	Varies	20	All BOP institutions	Mental Health
CBT for Prison Gambling	Varies	Varies	20	All BOP institutions	Antisocial Peers, Cognitions
Circle of Strength (Support group that introduces CBI to women)	13 sessions	1.5 hours/week	20	All female sites	Cognitions, Mental Health
CBT for Eating Disorders	Varies	Varies	20	All BOP institution	Mental Health
CBT of Insomnia	4-8 Session	Varies	10	All BOP institutions	Mental Health
Cognitive Process Therapy (CBT to address trauma)	12 sessions	1.5 hours/week	18	All BOP institutions	Cognitions, Mental Health, Trauma

PA Name (short description)	Duration	Frequency	Hours	Program Location(s)	Needs(s) Addressed
Dialectical Behavior Therapy Skills Training (CBT for managing emotions and distress)	52 sessions	1.5 - 2 hours/week	104	All BOP institutions	Cognitions, Mental Health, Trauma
Embracing Interfaith Cooperations (Fosters interfaith understanding)	5 sessions	1-2 hours/week	10	All BOP institutions	Cognitions
Federal Prison Industries (FPI) Lean Basics Training (Business processing training class)	16 hours	Varies	16	51 FPI facilities	Work
Foundation (Reentry focused goal setting program for women)	10 sessions	1.5 hours/week	15	All female sites	Cognitions, Education, Mental Health, Work
Getting to Know Your Healthy Aging Body (Discusses changes over the lifespan)	12 sessions	1 hour/week	12	All BOP institutions	Medical, Recreation/Leisure/Fitness
Health and Wellness Throughout the Lifespan	3 sessions	.75 hours/week	3	All BOP institutions	Recreation/Leisure/Fitness
Healthy Steps for Older Adults (Reduce falls)	3 sessions	Varies	3	All BOP institutions	Medical, Recreation/Leisure/Fitness
Hooked on Phonics (Aids in combatting dyslexia)	Varies	1.5 hours/day	500	All BOP institutions	Dyslexia, Education, Work
Houses of Healing: A Prisoner's Guide to Inner Power and Freedom (Emotional literacy and understanding)	12 sessions	2 hours/week	24	All BOP institutions	Cognitions
Key Train for ACT WorkKeys (Building job-relevant skills)	Varies	Varies	50	All BOP institutions	Education, Work
Living a Healthy Life with Chronic Conditions	Varies	Varies	24	All BOP institutions	Medical, Recreation/Leisure/Fitness
Managing Your Diabetes	12 sessions	1 hour/week	12	All BOP institutions	Medical, Recreation/Leisure/Fitness
Mindfulness-Based Cognitive Therapy	8 sessions	2 hours/week	16	All BOP institutions	Mental Health
Money Smart for Older Adults	14 sessions	1-2 hours/week	28	All BOP institutions	Finance/Poverty
Narcotics Anonymous	Varies	Varies	50	All BOP institutions	Substance Abuse
National Diabetes Prevention Program	16 sessions	Varies	16	All BOP institutions	Medical, Recreation/Leisure/Fitness
PEER (Disabilities support group)	10 sessions	1 hour/week	10	All BOP institutions	Antisocial Peers
Pu'a Foundation Reentry Program (Program for women grounded in Hawaiian culture)	Varies	2 hours/week	20	FDC Honolulu	Family/Parenting, Trauma
Service Fit (Wellness group for veterans)	8 weeks	2 hours/week	16	All BOP institutions	Recreation/Leisure/Fitness
Sexual Self-Regulation (SSR) (CBT programs for sex offenders)	3-6 months	Varies	100	All BOP institutions	Cognitions

PA Name (short description)	Duration	Frequency	Hours	Program Location(s)	Needs(s) Addressed
Soldier On (Support group for veterans)	10 weeks	1-1.5 hours/week	15	All BOP institutions	Antisocial Peers, Trauma
Square One: Essentials for Women (Psychoeducation life skills for women)	8 sessions	1.5 hours/week	12	All female sites	Finance/Poverty, Mental Health, Recreation/Leisure/ Fitness
START Now (Program behavior disorders)	32 sessions	Varies	32	All BOP institutions (gendered curricula)	Anger/Hostility, Cognitions
Supported Employment (Matching SMI with jobs)	Varies	Varies	20	All BOP institutions	Education, Mental Health, Work
Talking with Your Doctor - Guide for Older Adults (Prepares for medical appointments)	Varies	Varies	5	All BOP institutions	Medical, Recreation/Leisure/ Fitness
Understanding Your Feelings: Shame and Low Self Esteem (Program for women)	7 sessions	1 hour/week	7	All female sites	Cognitions, Mental Health, Trauma
Victim Impact: Listen and Learn	13 Sessions	2 hours/week	26	All BOP institutions	Cognitions
Wellness Recovery Action Plan (Manage mental illness)	8 Sessions	2.5 hours/session	20	All BOP institutions	Mental Health
Women in the 21st Century Workplace (Occupational program for women)	10 sessions	1 hour/week	10	All female sites	Education, Work
Women's Relationships (Teaching women about healthy interpersonal dynamics)	5 sessions	1 hour/week	5	All female sites	Antisocial Peers, Cognitions, Family/Parenting
K2 Awareness Program	5 weeks	1 hour/week	5	All BOP institutions	Substance Abuse